

ADP230
[REDACTED]PAGE 01 SEOUL 14020 240937Z
ACTION EA-12INFO OCT-01 ADS-00 CIAE-00 DODE-00 PM-07 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
HA-06 SY-05 SYE-00 DCT-02 /081 W
-----090411 241021Z /22P 240850Z OCT 80
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC PRIORITY 9880
INFO AMEMBASSY TOKYO
SA CINCUNC KS
CHJUSMAG, SEOUL KS
COMUSKOREA SEOUL KS//BJ-IS
CINCPAC HONOLULU HI

[REDACTED] SEOUL 14020

E.O. 12065: XDS-4 10/25/10 (GLEYSTEN, W. H.) OR-M
TAGS: PINS SHUM KS
SUBJECT: MASS PUBLIC TRIALS IN KWANGJU

REF: SEOUL 12787

1. [REDACTED] ENTIRE TEXT)

2. SUMMARY: A MILITARY COURT IN KWANGJU IS HEARING THE
CASES OF 175 DEFENDANTS ON CHARGES GROWING OUT OF THE MAY
UPRISING IN THAT CITY. TRIAL SECURITY IS TIGHT AND
INFORMATION IS SPARSE: THE INDICTMENT HAS NOT BEEN
PUBLICIZED, THE PRESS DOES NOT COVER THE TRIALS, AND THE
COURT-APPOINTED LAWYERS WHOM MOST DEFENDANTS HAVE DO NOT
EVEN KNOW THEIR CLIENTS' NAMES OR THE CHARGES AGAINST
THEM UNTIL THEY MEET IN COURT. MOST OF THE DEFENDANTS
ARE APPARENTLY CLERGYMEN, PROFESSORS, AND STUDENTS; WE
HAVE IDENTIFIED ABOUT 32 OF THEM, ONLY ONE PROMINENT OUT-
SIDE OF KWANGJU. END SUMMARY.[REDACTED]
PAGE 02 SEOUL 14020 240937Z3. AN ESSENTIALLY CLOSED COURT-MARTIAL CONVENED IN
KWANGJU IN LATE SEPTEMBER TO TRY 175 DEFENDANTS CHARGED
IN CONNECTION WITH THAT CITY'S UPRISING LAST MAY.
INFORMANTS IN KWANGJU BELIEVE THAT THIS GROUP INCLUDES
MOST OR ALL PERSONS HELD ON CHARGES GROWING OUT OF THE
KWANGJU REBELLION (ANOTHER 174 PERSONS, INCLUDING WHAT
A PRESS STORY CALLED "MINORS, SURRENDERERS, AND FIRST
OFFENDERS," WERE INITIALLY INDICTED BUT THEN WERE RELEASED
SHORTLY BEFORE THESE TRIALS BEGAN). INFORMATION ON THE

DEPARTMENT OF STATE

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FOIA Exemptions 8
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MR Cases Only:
EO Citations _____

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TS authority to
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TRIALS IS SPARSE; THE INDICTMENT HAS NOT BEEN PUBLICIZED; AND THE PRESS HAS MENTIONED THE TRIALS ONLY BRIEFLY, WITH NO DAY-TO-DAY COVERAGE. (BY CONTRAST, THE KIM DAE JUNG (M-R: KIM TAE-CHUNG) COURT-MARTIAL INDICTMENT, MUCH OF WHICH DEALT WITH MATTERS RELATED TO THE KWANGJU UPRISING, WAS PRINTED IN THE PRESS, AND DETAILED NEWS ACCOUNTS, HOWEVER DISTORTED, WERE ALLOWED TO APPEAR DAILY.) THE KWANGJU COURT-MARTIAL, AT A SUBURBAN ARMY BASE, REPORTEDLY IS PROGRESSING SLOWLY, TAKING UP ONLY TWO TO FOUR NEW CASES A DAY. ALTHOUGH NEWS OF ANY ASPECT OF THE TRIAL HAS BEEN DIFFICULT TO OBTAIN, A VARIETY OF SOURCES

AND KOREANS IN SEOUL WITH SOME KNOWLEDGE OF THE TRIAL--HAVE GIVEN US THE FOLLOWING INFORMATION.

4. DEFENSE COUNSEL: THE DEFENDANTS HAVE HAD TROUBLE OBTAINING LEGAL REPRESENTATION: MOST KWANGJU LAWYERS HAVE BALKED AT TAKING THESE CASES. A FEW DEFENDANTS HAVE THEIR OWN LAWYERS, BUT MOST HAVE BEEN ASSIGNED MEMBERS OF THE KWANGJU BAR AS COURT-APPOINTED COUNSEL. EACH DAY TWO LAWYERS REPORT TO THE COURT TO REPRESENT THE DEFENDANTS FACING TRIAL THAT DAY. TYPICALLY, LAWYERS DO NOT MEET THEIR CLIENTS OR KNOW WHO THE LATTER ARE UNTIL THEY ENTER THE COURTROOM. COMMENT: THESE PROCEDURES ARE EXTREME

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EVEN FOR MILITARY COURTS, BUT WE HVE HEARD THIS ACCOUNT INDEPENDENTLY FROM SEVERAL SOURCES AND ACCEPT IT AS FACTUAL. --END COMMENT.

5. ACCESS TO THE COURT: EACH DEFENDANT IS ALLOWED TWO FAMILY MEMBERS IN COURT WITH HIM; IN SOME CASES PASTORS, TEACHERS, AND OTHERS HAVE ASKED, WITH FAMILY CONSENT, TO FILL SOME OF THESE SEATS, BUT THESE REQUESTS HAVE BEEN TURNED DOWN. IN AN UNUSUAL CONCESSION, THE AUTHORITIES HAVE PERMITTED PRAY-INS AND FAMILY VIGILS OUTSIDE THE CAMP GATE, AS LONG AS THESE GATHERINGS ARE ORDERLY. SO FAR THEY HAVE BEEN, AND THEY HAVE BEEN HELD ALMOST DAILY, RAIN OR SHINE, OFTEN FROM DAYLIGHT TO DUSK.

6. DEFENDANTS: THOSE TRIED SO FAR ARE MOSTLY CLERGYMEN AND HIGH SCHOOL AND COLLEGE TEACHERS; THOSE AWAITING TRIAL INCLUDE MANY STUDENTS. SO FAR AS WE KNOW, ONLY ONE DEFENDANT, STUDENT CHONG TONG-NYON (M-R), WHO WAS A KEY GOVERNMENT WITNESS IN THE KIM DAE JUNG TRIAL, IS PROMINENT OUTSIDE OF KWANGJU. ARCHBISHOP YUN YONG-HUI (M-R) WAS ADMITTED TO AN EARLY TRIAL SESSION AT WHICH TWO PRIESTS AND SOME LAY WORKERS WERE AMONG 13 PEOPLE BEING ARRAIGNED. YUN LATER TOLD PRIESTS IN KWANGJU THAT ALL 13 WERE ALLOWED TO SPEAK AT ARRAIGNMENT, AND "DID SO BRAVELY." ONE MAN TOLD THE COURT THAT HE HAD TRIED TO PERSUADE STUDENTS TO BEHAVE PEACEFULLY AND FELT HE DESERVED A MEDAL; THE FACT

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THAT HE WAS STANDING TRIAL INSTEAD REFLECTED, HE SAID, ON THE STATE OF JUSTICE IN KOREA.

7. COMMENT: THE NUMBER OF PEOPLE BEING TRIED IS SMALL COMPARED TO THE HUNDREDS OF THOUSANDS WHO PARTICIPATED IN ONE WAY OR ANOTHER IN THE KWANGJU UPRISING. YET TIGHT SECURITY AROUND THE COURTROOM INDICATES THAT THE GOVERNMENT HAS NO ILLUSIONS ABOUT THE INTENSITY OF LOCAL FEELING, FEELING WHICH COULD LEAD TO THE CREATION OF MARTYRS SHOULD THE EVENTUAL SENTENCES BE TOO HARSH. END COMMENT.

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8. WE HAVE JUST SEEN AN AFP REPORT THAT TWO PRIESTS WHO ARE AMONG THE DEFENDANTS RECEIVED JAIL TERMS OF 7 AND 15 YEARS, RESPECTIVELY. THE STORY QUOTES THE PROVINCIAL GOVERNOR THAT "THE TRIAL WILL BE CONDUCTED JUSTLY AND THE AUTHORITIES WILL BE LENIENT," ALTHOUGH HE REFUSED TO CONFIRM OR DENY THAT SOME DEATH SENTENCES WOULD BE HANDED DOWN. WE WILL BE CHECKING THE STORY FURTHER (WE HOPE WITH THE REPORTER WHO WROTE IT) AND WILL REPORT ANY FURTHER INFORMATION. GLEYSTEN

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